



Eric Gonzalez
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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: **MARTIN GIMENEZ**

MOS TAX: **[REDACTED]**

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED, DATED 06/07/2007, AGAINST MOS GIMENEZ:
CASE STATUS: CLOSED ON 10/17/2007

Disclosure # 2:

MOS GIMENEZ PLED GUILTY TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS:
ALLEGATION(S):

1. MOS GIMENEZ, WHILE ASSIGNED TO THE 73RD PRECINCT, WHILE OFF-DUTY AND ON SICK REPORT, ON OR ABOUT SEPTEMBER 28, 2009, FROM APPROXIMATELY 0900 HOURS UNTIL 1300 HOURS, WAS WRONGFULLY AND WITHOUT JUST CAUSE ABSENT FROM SAID RESIDENCE WITHOUT THE PERMISSION OF SAID OFFICER'S DISTRICT SUGEN AND/OR HEALTH SERVICES DIVISION SICK DESK SUPERVISOR

CASE STATUS: CLOSED ON 10/06/2010

ACTION TAKEN: FORFEITURE OF TWENTY (20) VACATION DAYS

Disclosure # 3:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

1. DAVID FLEURIOT V. CITY OF NEW YORK, ET AL, 23491/2012, FILED IN KINGS COUNTY SUPREME COURT

Disclosure # 4:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 04/30/2014, AGAINST MOS GIMENEZ:
ALLEGATION(S):

1. FAIL TO NOTIFY INTERNAL AFFAIRS BUREAU

CASE STATUS: CLOSED ON 10/15/2015

ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE

Disclosure # 5:

MOS GIMENEZ PLED GUILTY TO THE FOLLOWING NYPD DEPARTMENTAL CHARGES AND SPECIFICATIONS:
ALLEGATION(S):

1. MOS GIMENEZ, WHILE ON DUTY AND ASSIGNED TO PSA 9, ON OR ABOUT MAY 23, 2014 AND JULY 11, 2014, DID ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT; MOS GIMENEZ DID IMPEDE AN OFFICIAL DEPARTMENT INVESTIGATION IN THAT MOS GIMENEZ DID GIVE MISLEADING RESPONSES TO QUESTIONS ASKED OF HIM DURING AN OFFICIAL DEPARTMENT INTERVIEW, INCLUDING BUT NOT LIMITED TO RESPONSES RELATING TO MOS GIMENEZ'S CONNECTION TO A RESTAURANT.
2. MOS GIMENEZ, WHILE OFF-DUTY AND ASSIGNED TO PATROL BOROUGH BROOKLYN SOUTH, ON OR ABOUT MARCH 3, 2014, DID ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: MOS GIMENEZ WAS INVOLVED IN A VEHICLE ACCIDENT DURING WHICH TIME HIS VEHICLE WAS UNREGISTERED AND HAD AN IMPROPER LICENSE PLATE ON IT.
3. MOS GIMENEZ, WHILE OFF-DUTY AND ASSIGNED TO THE 67TH PRECINCT, PATROL BOROUGH BROOKLYN SOUTH AND PSA 9, ON OR ABOUT AND BETWEEN MARCH 2, 2011 AND JULY 15, 2014, DID WRONGFULLY AND WITHOUT JUST CAUSE ENGAGE IN OFF-DUTY EMPLOYMENT WITHOUT AUTHORITY OR PERMISSION TO DO SO.
4. MOS GIMENEZ, WHILE OFF-DUTY AND ASSIGNED TO PSA 9, ON OR ABOUT AND BETWEEN APRIL 30, 2014 AND JULY 15, 2014, DID ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: MOS GIMENEZ DID ENTER AN ESTABLISHMENT WHERE THE LIQUOR LICENSE HAD EXPIRED BUT WHERE LIQUOR CONTINUED TO BE SERVED.
5. MOS GIMENEZ, WHILE OFF-DUTY AND ASSIGNED TO THE 67TH PRECINCT, ON OR ABOUT APRIL 24, 2013 AND ON OR ABOUT AND BETWEEN AUGUST 1, 2013 AND FEBRUARY 28, 2014, DID ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT, TO WIT: MOS GIMENEZ DID ILLEGALLY UTILIZE ONE (1) NEW YORK STATE LICENSE PLATE FOR MOS GIMENEZ'S OTHER VEHICLES.

CASE STATUS: CLOSED ON 05/26/2015

ACTION TAKEN: DISMISSAL PROBATION FOR ONE (1) YEAR, FORFEITURE OF THIRTY-FIVE (35) VACATION DAYS

Disclosure # 6:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 10/24/2018, AGAINST MOS GIMENEZ:
ALLEGATION(S):

1. INVOICE DISCREPANCY - LAB – MARIJUANA
2. REPORT INCOMPLETE/INACCURATE - PROPERTY CLERK INVOICE

CASE STATUS: CLOSED ON 11/28/2018

ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE

Disclosure # 7:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 08/07/2019, AGAINST MOS GIMENEZ:
ALLEGATION(S):

1. BODY WORN CAMERA - FAIL TO WEAR
2. OTHER DEPARTMENT RULES/ PROCEDURES VIOLATION - IMPROPER UNIFORM (NO CHEVRONS ON SERGEANT'S SHIRT)

CASE STATUS: CLOSED ON 09/17/2019

ACTION TAKEN: VERBAL INSTRUCTIONS

Disclosure # 8:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 10/04/2019, AGAINST MOS GIMENEZ:
ALLEGATION(S):

1. REPORT INCOMPLETE/ INACCURATE - PROPERTY CLERK INVOICE
2. INVOICE DISCREPANCY - BANK DROP - OVERAGE (NOT COUNTERFEIT)

CASE STATUS: CLOSED ON 12/10/2019

ACTION TAKEN: VERBAL INSTRUCTIONS

Disclosure # 9:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 10/30/2019, AGAINST MOS GIMENEZ:
ALLEGATION(S):

1. FAIL TO PREPARE REPORT - COMPLAINT REPORT

CASE STATUS: CLOSED ON 01/25/2020

ACTION TAKEN: VERBAL INSTRUCTIONS

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 10:

CCRB CASE: 201109619

REPORT DATE: 07/26/2011

INCIDENT DATE: 07/25/2011

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - STOP
2. ABUSE - THREAT OF ARREST
3. ABUSE - THREAT OF FORCE (VERBAL OR PHYSICAL)
4. DISCOURTESY – WORD
5. DISCOURTESY - WORD

NYPD DISPOSITION: NO DISCIPLINARY ACTION-SOL, NO PENALTY

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED - FAILURE TO PREPARE A MEMO BOOK ENTRY
2. OTHER MISCONDUCT NOTED - FAILURE TO PRODUCE STOP AND FRISK REPORT

NYPD DISPOSITION: #1 NO DISCIPLINARY ACTION-SOL, NO PENALTY

Disclosure # 11:

CCRB CASE: 201114758

REPORT DATE: 11/09/2011

INCIDENT DATE: 11/09/2011

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - REFUSAL TO PROVIDE NAME/SHIELD NUMBER
2. ABUSE - STOP

NYPD DISPOSITION: NO DISCIPLINARY ACTION-SOL, NO PENALTY

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED - FAILURE TO PREPARE A MEMO BOOK ENTRY

Eric Gonzalez
District Attorney
Kings County